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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/517,443	12/09/2004	Yusuke Shimizu	05905-0179	8650

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EXAMINER	
EPSHTEYN, ALEXANDER	

ART UNIT	PAPER NUMBER
3713	

DATE MAILED: 01/25/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/517,443	SHIMIZU ET AL.	
	Examiner	Art Unit	
	Alex Epshteyn	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *12/9/2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-10* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-10* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date ~~[illegible]~~ 12/9/04
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

In the case of the present invention the legal phraseology "means" has been used in the abstract. Appropriate correction is required.

2. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1 and 4 – 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benoy et al. (US Patent 6,896,618).

In regards to claim 1 and 7, Benoy teaches of a gaming machine that is used to register a player to a loyalty or tracking program on the casino gaming system. Said gaming machine of Benoy contains an external interface configured to read a memory medium (Fig. 4A and 4B). Benoy further teaches of generating an ID for enrollment in a loyalty program (3: 3-8). The game system records the generated ID on the memory medium so that the player can use the card in other gaming machine that are also able to be printed (33: 14-30). Benoy also teaches of a gaming system that contains a plurality of gaming machines (8: 38 – 42), where all the gaming machines are configured to perform the same functions as a single gaming machine as described above.

In regards to claim 4, 5, and 8, Benoy teaches of a gaming machine with memory, processing means for reading and processing a specific game program (3: 25-30). It is obvious to one skilled in the art that a prescribed requirement of casino games such as those listed by Benoy is to achieve a certain result. Benoy also teaches of a gaming system that contains a plurality of gaming machines (8: 38 – 42), where all the gaming machines are configured to perform the same functions as a single gaming machine as described above.

In regards to claim 6 and 9, Benoy teaches of a server device with data management for storing character messages and transmitting the character message to the game machine at which point they can be displayed (27: 17-46). Benoy also teaches of a gaming system that contains a plurality of gaming machines (8: 38 – 42), where all the gaming machines are configured to perform the same functions as a single gaming machine as described above.

In regards to claim 10, Benoy teaches of a game system comprising a plurality of game machines capable of reading game information stored in an external memory (Fig. 4A and 4B). Benoy further teaches of assigning identification information to the external memory for enrollment into a tracking loyalty program (3: 3- 8) and printing the information. Said identification information is then transmitted to the server that records the play information of the player (8: 49-54). The server of Benoy manages the identification information and transmits said identification information to a game machine in response to a request from the game machine (27: 17 - 46).

4. Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Benoy and further in view of Beach et al. (US Patent 6,116,402).

What Benoy teaches is discussed above and incorporated herein. Benoy also teaches of using a serial number read from a program server such as the game system server or the game machine to encode a magnetic card with loyalty program registration information. Benoy does not explicitly teach of using time information as part of the serial number. Beach, however, in the same field of endeavor teaches of a system that

encodes vouchers that are in the form of magnetic cards with time and machine location information (9: 20-27). Beach discusses that the reason to do this is for security purposes and to be able to encode a large number of unique information cards. It would be obvious for one skilled in the art at the time the invention was made to have modified the teachings of Benoy and incorporate the teachings of Beach to further define the serial number used to encode the cards as taught by Benoy to include time and machine information such that a large number of unique ranges of card information could be encoded in the gaming system.

In regards to claim 3, it is obvious to one skilled in the art at the time the invention was made that timing information is obtained from a central time broadcast from the server device connected to the network.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alex Epshteyn whose telephone number is 571-272-5561. The examiner can normally be reached on M-F 8 - 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on 571-272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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XUAN M. THAI
SUPERVISORY PATENT EXAMINER
TC3700